

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

In re:

Filing of Fact Summary for Motions	)	Administrative Order No. 05-02
for Relief from Stay in Chapter 7 and	)	(Eastern Division)
Chapter 13 Cases,	)	
	)	

**ADMINISTRATIVE ORDER REQUIRING THE FILING OF A FACT  
SUMMARY FOR MOTIONS FOR RELIEF FROM STAY IN CHAPTER 7  
AND CHAPTER 13 CASES**

An attorney that files a Motion for Relief from Stay and/or Co-Debtor Stay or A Motion for Adequate Protection shall also file a Fact Summary<sup>1</sup> in the same form as attached to this Administrative Order. This summary shall be filed at least 14 days prior to the first hearing date on the Motion. The Summary shall be filed using the Court's Electronic Case Filing ("ECF") System.

The Movant's attorney shall ensure that when the Summary is filed, it is filed as a separate event using the proper event from the Court's ECF System, not as an attachment to the Motion. To file this Summary, Movant shall select "Bankruptcy," "Miscellaneous," and "Fact Summary for Motion for Relief from Stay." The Summary shall be "served" by Movant's attorney using the Court's ECF System (Debtor's attorney will receive an electronic notification of the filing of the Summary.)

This Administrative Order is effective as to all Motions for Relief from Stay and/or Co-Debtor Stay, all Motions to Renew a Relief from Stay Motion, and Motions for Adequate Protection filed on or after May 10, 2005.

Dated this the 4<sup>th</sup> day of May, 2005.

  
BENJAMIN COHEN  
Chief United States Bankruptcy Judge

  
TAMARA O. MITCHELL  
United States Bankruptcy Judge

  
THOMAS B. BENNETT  
United States Bankruptcy Judge

xc: Attachment

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<sup>1</sup>The Attached Fact Summary has been modified from the one adopted for the Southern Division. The attached Fact Summary is the one that has been proposed in the United States Bankruptcy Court for the Southern District of Alabama.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA**

_____, <b>Debtor(s).</b>	*	
	*	
	*	<b>Bankruptcy Case No.</b> _____
	*	
_____, <b>Movant.</b>	*	
	*	
	*	
_____, <b>Name of Creditor or Claimant</b> <b>(if different from Movant)</b>	*	
	*	

**FACT SUMMARY FOR MOTION FOR RELIEF FROM AUTOMATIC STAY  
TO FORECLOSE SECURITY AND LEASEHOLD INTERESTS  
IN CHAPTER 7 AND CHAPTER 13 CASES**

Date and Type of Loan/Credit Transaction: _____ and _____	
Type of Collateral: _____	Monthly Payment: _____
Amount Financed: _____	APR or Interest Rate: _____
Term of Loan: _____	Months or _____ Years
Payoff Amount: _____	As of _____
Value of Collateral: _____	Method of Valuation: _____

Delinquent Pre-Petition Payments:

What Month(s)? \_\_\_\_\_

Amount: \_\_\_\_\_

Claim Filed: \_\_\_\_\_ Yes or \_\_\_\_\_ No

Date Claim Filed: \_\_\_\_\_

Delinquent Post-Petition Payments:

What Month(s)? \_\_\_\_\_

Amount: \_\_\_\_\_

Claim Filed: \_\_\_\_\_ Yes or \_\_\_\_\_ No

Date Claim Filed: \_\_\_\_\_

Other Charges & Costs (itemize) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Amount & Number of Post-Petition Payments Received: \_\_\_\_\_ and \_\_\_\_\_

Amount held in Suspense: \_\_\_\_\_

If Lease, Lease Expiration Date: \_\_\_\_\_

If Terminated, Lease Termination Date: \_\_\_\_\_

Does Creditor have Proof of Insurance in force: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown

Prior Stay Order(s) Involving Movant including Current Case: \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, give case number(s) and date(s) of order(s)

Case No.: _____	Date: _____
Case No.: _____	Date: _____
Case No.: _____	Date: _____

Date: \_\_\_\_\_ Submitted by: \_\_\_\_\_

(Signature)